



WEB COPY



W.P.No.31604 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31604 of 2023

R. Chinnasamy

... Petitioner

Vs.

1.The State of Tamil Nadu
Rep. by its Principal Secretary,
Transport Department,
Fort St. George, Chennai – 9.

2.The Managing Director,
State Express Transport Corporation (Salem) Ltd.,
Salem.

3.Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Rep. by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay interest at the rate of 6% per annum for the belated payment of leave salary, Provident Fund, gratuity and commutation as sought for in his representation dated 19.09.2023 within a time to be stipulated by this Court.



WEB COPY



W.P.No.31604 of 2023

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.P.Ganesan,
Government Advocate [R1]

Mrs.Pavithra,
Standing Counsel [R2]

Mr.C.S.K. Sathish,
Standing Counsel [R3]

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had retired from service on 30.09.2022 on reaching the age of superannuation. However, his terminal benefits came to be settled belatedly and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given a representation to the second respondent on 19.09.2023, which is yet to be considered.

3. This Court, in various decisions, have already taken a view that in all cases of belated payment of the terminal benefits, the concerned employee would be entitled for interest at the rate of 6% per annum. In



W.P.No.31604 of 2023

WEB COPY

this background, this Court is of the view that if the respondents are directed to pay interest on the belated payment of the terminal benefits of the petitioner, the ends of justice could be secured.

4. In the light of the above observations, there shall be a direction to the respondents herein, to settle the interest amount at the rate of 6% per annum on the belated payment of the terminal benefits from the date of the petitioner's retirement till the date of actual payment, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs.

03.11.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Hvk



WEB COPY



W.P.No.31604 of 2023

M.S.RAMESH,J.

Hvk

To

- 1.The Principal Secretary to State of Tamil Nadu,
Transport Department,
Fort St. George, Chennai – 9.
- 2.The Managing Director,
State Express Transport Corporation (Salem) Ltd.,
Salem.
- 3.Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Rep. by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002.

W.P.No.31604 of 2023

03.11.2023